

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has amended claims 30 and 40. Claims 1-29, 31, 41, and 51-58 have been cancelled. Applicant respectfully submits no new matter has been added. Accordingly, claims 30, 32-40, and 42-50 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Examiner Objections – Specification

In paragraph numbered 2 of the Office Action, the Examiner objected to the abstract of the disclosure because it was not submitted on separate sheet in accordance with 37 CFR 1.52(b)(4). The Applicants have attached the abstract hereto on a separate sheet, although this application was a national stage application filed under 35 USC 371 which is not subject to the requirements of 37 CFR 1.52(b)(4).

3.) Claim Rejections – 35 U.S.C. § 102(e)

Claims 30, 32-34, 36, 38-40, 44, 46 and 49-50 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Goldberg (US 2007/0249405). While not conceding that the cited reference qualifies as prior art, but instead to expedite prosecution, Applicant has chosen to respectfully disagree and traverses the rejection as follows. Applicant reserves the right, for example, in a continuing application, to establish that the cited reference, or other references cited now or hereafter, does not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

Page 4 of the Non-Final Office Action indicates that claims 31, 37, 41-43, and 47-48 are objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended independent claims 30 and 40 with the elements formally recited in now-cancelled claims 31 and 41, respectively. In light of these amendments, Applicant respectfully submits that amended independent claims 30 and 40 (and all claims dependent therefrom) are patentable over Goldberg. Applicant therefore respectfully requests that the rejection be withdrawn.

4.) Claim Rejections – 35 U.S.C. § 103 (a)

Claims 35 and 45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Goldberg. As discussed above, amended claims 30 and 41 are patentable over Goldberg. Thus, claims 35 and 45 are patentable over Goldberg at least due to their dependency on amended independent claims 30 and 40. Applicant therefore respectfully requests that the rejection be withdrawn.

5.) Allowable Subject Matter

The Applicant gratefully acknowledges the allowance of claims 31, 37, 41-43, and 47-48.

12.) Prior Art Not Relied Upon

In paragraph numbered 9 on page 5 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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